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The Daily Press

HONGKONG, JULY 29th, 1871.

The acquittal of *Sinnaker*, the chief officer of the *Mirage*, who was tried on Thursday at the Supreme Court on a charge of having assaulted one of the Chinese passengers, and of having wilfully prevented others from saving themselves from shipwreck, will no doubt meet general approval. It is at all events strictly in accordance with the evidence; that is to say, the evidence was so extremely unsatisfactory, and so obviously manufactured in some instances, that it would have been simply folly to attach any weight to it as a whole, or to think for a moment of convicting anybody upon it. The Acting Judge, Mr. BALL, while showing every disposition to have the matter fully investigated, at the same time wisely took occasion to ask the ATTORNEY-GENERAL whether he would not withdraw the case, and he also suggested to the Jury that they might, if they saw fit, return their verdict without hearing the defendant's Counsel. The ATTORNEY-GENERAL, who seemed to attach more importance to the alleged respectability of the prosecutors than to the inconsistency of their testimony, considered it desirable to go on; but the Jury took the hint thrown out by the Judge, and gave a unanimous acquittal, without asking the prisoner's Counsel to address them.

It seems almost strange that those who have been brought forward at all upon any other ground than at most the charge of assault, as it was not denied from the very first that the Chinese passengers voluntarily offered money to the defendant to give them a preference in going into the boats, so that any charge of his coercing them to pay, or, in other words, of extorting money from them, could obviously not be substantiated. It was clearly pointed out by the Hon. Mr. BALL that the offence to be anything in law must go as far as that of wilfully and maliciously preventing the men from leaving; and it is impossible to see how under the circumstances as alleged, and especially in face of the facts which were elicited at the Court of Enquiry, it could be hoped to substantiate such a charge. As to the assault, the Judge very properly put it that it might easily be conceived that the mate was not only justified, but absolutely called upon, to prevent a rush into a boat as full as it was safe to allow, as by failing to do so he might become responsible for the loss of life of some of those already in it. Upon its merits, as they appeared in Court, there can, therefore, be any little doubt that the case was properly dismissed.

It may be a question whether, under the exaggerated statements which they made in Court, the Chinese had not what they at all events conspired to be some cause for complaint. That one or more of the men were prevented from rushing into the boats is probable, and they may also have felt aggrieved that the boats were sent back for them as speedily as they had hoped, and that they were consequently put to the expense of getting away in the junks. Their first step, as we are informed, on their arriving here, was to go to the owner of the vessel to demand compensation, and it seems that it was only on their failing to obtain it, that the idea entered their heads of instituting the criminal proceedings against the mate. But, whatever case they might have had, they utterly spoiled it by the invariable habit of the natives when they come into Court of making an exaggerated, and in a great measure unfounded, report of the facts. Fortunately, like an overdose of arsenic, the falsehood worked its own cure. The exaggerations were too much for the most credulous to be influenced by, and the whole charge fell to the ground. The case should be a warning to those who are inclined to accept in many instances precisely the same thing that was detected in this case is done, but is not discovered, and charges of the most serious nature are deliberately made often out of motives of pique, but as often simply from a want of appreciation of the real seriousness of bringing a false accusation. We may aver in native witnesses in questionable Chinese as much as we like, but this will never alter the fact that in dealing with foreigners they do not consider themselves bound to put in practice even the same amount of honour that they preserve among themselves. They have the authority of Conventions for telling lies in favour of their fathers and near relations, and the principle obviously applies to doing the same thing in favour of their friends and countrymen as against foreigners. To accept their statements with the same credulity as we do those of European witnesses, is contrary to the dictates of common sense, and even to take evidence, which founded upon a certain amount of truth is nevertheless discovered to be mixed up with much falsehood, is an equally unsound proceeding, because we never can tell where the truth ends and the falsehood commences. In such a case it is quite justifiable to receive the testimony with the utmost caution. If at times the natives fail in consequence of this principle being adopted to obtain full justice, they have only themselves to thank for their habits of mistaking and exaggerating when giving testimony.

There is one point in connection with this case which requires explanation. We understand that the finding of the Naval Court which was held with reference to the loss of the *Mirage*, fully acquitted *Sinnaker* of the charge brought against him. What reason has there been from withholding this fact from the public?

WESTMINSTER CLOCK TOWER LIGHT.—It is stated that the light to be exhibited on the great clock tower at Westminster during the sitting of Parliament will not be a line light, but the magenta-electric light, which is much more brilliant.

GOOD FOR BUSINESS.—The *New York Times* states that while the sanitary inspector of that city was performing his usual duties on the 11th of May, he met Dr. Thayer in the street, and to his surprise saw that the doctor was covered with smallpox eruptions. The inspector at once seized him and had him conveyed to the hospital. Upon inquiry it was found that the doctor had been both visiting patients and receiving patients and friends at his house.

VIOLENCE-ADMIRALTY COURT.

BEFORE THE HON. CHIEF-JUSTICE SMITH, A.S.N.C. Capt. Yonel, R.N., and Captain Bax, R.N.

The Lanesford v. The Volga.

Mr. Hayler, instructed by Mr. Sharp, appeared for the *Lanesford*, and Mr. Hutton, for the *Volga*, instructed by Mr. Hutton, for the *Volga*.

Mr. Hayler proposed to examine only the witnesses who must go to New York by the *Lanesford*, which was under way from New York on the 11th of May. He would not examine the Captain, the principal witness, until his learned friend was fully instructed. Another matter would be put into the ship to take her to New York. He then asked the witness to go to New York.

Robert Hutton, sworn: I am the chief officer of the *Lanesford*, and was on the 11th of May. I have a first mate's certificate. I came from England in the *Lanesford*, which is a large, rigged, and of 383 tons register. She is English, wooden-built, a little over 4 years old, built at Harrington, Cumberland.

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